Orties, Mr. Hennessey moved to recommit the measured by

Mr. Hennessey moved to recommit the measure for a hearing. This motion was opposed by Mr. Halpin. The bill, he said, had been introduced early in the seasion, and plenty of time had passed for all necessary hearings.

Mr. Wray wished it known that while he was in favor of consolidation, he could not favor the bill as it stood. It did not meet with the wishes of the people of Brooklyin. The bill had been sent from the committee without due notice.

Mr. Friday also opposed the report and advocated the recommitment. He said that without the referendum clause, which would give Brooklyin an opportunity to tell what kind of a charter would be accepted, he would oppose the bill. If, however, it was amended fairly, he would favor it.

evaded by shoving the time back a year and taxing it then, any more than at the time of its receipt.

Another suggestion or argument made by the Attorney-General was that a direct tax cannot be assessed by apportionment without resulting inequality. Well, said Mr. Choate, as the court had already decided, that inequality was agreed upon as a part of the compact on which the Constitution rests.

Again, the Attorney-General contended that this construction of the Constitution, if maintained, would seriously impair the resources and power of the Government in times of emergency. Figures will not lie," it had been said, remarked Mr. Choate, but it was equally well known that they would convey entirely different meanings according as they might be handled. Upon that point, said Mr. Choate, their brief filed in the case presented some statements and figures which demonstrated the unsoundness of the Attorney-General's claim. "The rights of citizens," that document said, "cannot be affected by exaggeration of the importance to the Government of the questions now involved. The only previous income tax known in the country's history arose from the necessities of the civil war. Up to the close of 1866 it is computed that the Government had expended for war purposes more than \$4,000,000,000, yet only \$126,082,845 came from this income tax. This shows how insignificant a part that tax played in supplying the country's requirements at the time of its greatest necessity. What saved the country was its high financial credit and the patriotic attachment of its citizens to the system of government guaranteed by its Constitution. Those resources, it is carnesily submitted, will be most surely preserved by facilitied administration of its fundamental law; soot by efforts to fritter away the bulwarks of private rights and private property, which were cetablished thereby as conditions of the country's existence.

And finally the Attorney-General declared

established thereby as conditions of the country's existence.

And finally the Attorney-General declared that the real estate owners and bondholders were shirking the payment of their just proportion of the expenditures of the Government, which, if this law were made effective, they would be compelled to pay. Mr. Choate said he did not appear her as advocate for these classes, but he deemed it to be his duty to say that the assertion was unformed. In the time of stress and war, when young men gave of their blood and yielded up their lives in defence of their country, the landowners and bondholders gave freely and generously of their substance to sustain the tovernment and provides the means whereby the conflict was carried forward to a successful issue.

whereby the conflict was carried forward to a successful issue.

Mr. Choate then addressed himself directly to the discussion of the matters left in dispute by the decision of the court in the light of the declarations in that decision. The first related to the tax on personal property, and his contention was that the corpus of personal property was entitled to the same protection as real estate, and that a tax on the in-come derived therefrom was a direct tax as much as a tax on rents. And in this position he was added by the frank avowal of the Attorney-General that it was logically so. Mr. Choate then went into the history of the question, and quoted from the decision of the court of April 8 to sustain his contention that personal property was subject

Justice Harlan asked if counsel asserted that of all personal property.

Mr. Choate responded that it did not apply to all personal property, for he admitted the right of exemption and of selection, but it did apply to all personal property, tor he admitted the right of exemption and of selection, but it did apply to all personal property, under a general assessment. That was very different, however, from a tax on the use of the property.

Choate said that the rule did not apply to banking institutions, for instance, because that was a business. He wished, he said, that he could impress upon the mind of every Justice the principle that in cases where the Congress has no power to tax, its action in that direction must be restrained; and that where it is permitted to Congress to tax, but its action is limited to a certain method, any deviation from the congress to tax, but its action is limited to a certain method, any deviation from the congress to tax, but its action is limited to a certain method, any deviation from the congress to tax, but its action is limited to congress to tax, but its action is limited to congress to tax, but its action is limited to congress to tax, but its action is limited to congress to tax, but its action is limited to congress to tax, but its action is limited to congress to tax, but its action of income derived therefrom.

Turning then to the decisions of the court, mr. Choate referred to the doctrine of stare decisis. To observe this doctrine without modification, he said, would raise the judiciary above the concurrent branch of the Government, the forced against the Legislature.

Justice Brown-Rut suppose, Mr. Choate, that Congress has acted for 100 years upon the decisions of this court. Is not that a case for the observance of the doctrine of stare decisis?

Mr. Choate—I think not, and I propose a little Stare for the observance of the doctrine of stare decisis.

Mr. Choate—I think not, and i propose a little Stare for the court of the doctrine of stare and with the supplies of

hief Justice Fuller-There need be no restraint felt in regard to time, Mr. Choate.

Mr. Choate—I do not feel inclined to tax the generosity and natione of your Honors beyond the period originally fixed, which will expire at

generosity and natione of your Honors beyond the period originally fixed, which will expire at 20 clock.

"I understand from the announcement of the court that some of your Honors are hesitating about declaring the exemption of mutual insurance companies lacking in uniformity, and therefore void in law. The concrete argument will best enforce our opinion on that subject. I shall take a single instance of a mutual insurance company, named from the mere nature of its business, is respect to which the record shows that by the methods of business in which it has been engaged for the last twenty-five or thirty years it has accumulated \$204,000,000, invested in every possible form of property and securities, all exempt by the act. Your Honors are called upon to easy whether the exemption of that company is not beyond all bounds of reason, is not arbitrary. They talk as if a mutual insurance company were a charitable organization, and I dare say in the infance of the institution there was an idea of promoting thrift among a few men who got together and formed it, to enable them to make savings. But do your Honors know what you are doing when you are thinking of excepting such a mutual insurance company as that referred to, and that as a sample of all of them? Ab uno disce omnes.

"What is a mutual insurance company as thus personified? It goes under the reputable name of a moneyed moneter. It lives upon money, it swallows money, it discests money, and it breeds money.

name of a moneyedicorporation. If your Honors please it is a moneyed moneter. It lives upon money, it swallows money, it digests money, and it breeds money. It lays golden eggs by the basketful every day, and then it coils a few lengths of its person about them for the purpose of batching them and carrying on the process of breeding. Ad infinitum.

"This mouster has as many arms, through its agents and agencies, as there are States in the Union, and those arms are raking in, raking in, raking in money all the time. It is not limited to one nation or to one continent or to one hemisphere. Those arms reach beyond the sea, and the company is raking in British gold and French gold and German gold and every other man's gold from across the ocean.

"What does it get it for? To make more money with to invest. And how shall it invest the money? It creates the money? It creates the money? It creates trust companies, it owns trust companies more than one. It creates banks—more than one. It creates banks—more than one. It owns the stock of the trust companies and banks, and through them it does all manner of business in which moneyed institutions engage. It builds rallroads: it is the medium of the emission of great issues of railroad bonds upon which the railroads are built. More than that, it is the chief factor in the reorganization of railroads civilization. It is the principal factor in the great financial syndicates that are formed. I don't know whether the

term "syndicate" has been judicially defined by this court, but, as a classification, the mutual insurance company embraces them all. It floats (fovernment loans, There is probably not an issue of Government bonds, on which a commission is to be made, that this same inutual insurance company does not come in for its alrare. Through its arms and organizations it transacts almost every kind of business that will pay. It loans money on mortgages, and upon foreclosure it becomes owner of the land mortgaged. I can point you block after block of immessly valuable houses, covering all the line between street and avenue—one block, two blocks, three blocks — money thus accumulated, thus made, thus derived, and thus invested, and all exempt by the law.

money thus accumulated, thus made, thus derived, and thus invested, and all exempt by the law.

"They not only own trust companies and hanks and rairoads and telegraph lines, but they control Legislatures, they control Congress. The Attorney-General has told you that they procured their own exemption from this very law after its authors had brought it in proposing to tax them as they had always been taxed before.

"I was recognizing what is suggested by Mr. Justice Shiras, that Congress can pass a law today levying a tax upon the earnings of insurance companies and another law as to the earnings of express companies, just as they could supon the earnings of distillers, the earnings of hacksmiths, the earnings of lawvers, or the earnings of doctors. When Congress undertakes to pass a general income tax law, levying a tax upon all kinds and conditions of men and all corporations, it cannot exempt a particular class of insurance corporations, especially when it leaves the income tax on all the corporations doing the business of insurance in the same way, only in the one case it is for the benefit of a stockholder and in the other case for the benefit of the policy holders.

The exception of incomes of \$4,000 and less from the operation of the law, Mr. Choate said, was even less defensible or excusable than that in relation to mutual insurance companies. Its object was to make the law applicable only to a very small proportion of the people, largely residing in a few of the States, the old seaboard States, who gave up so much in the compromise that resulted in the adoption of the Constitution.

In concluding Mr. Choate said:
"Now I have a few minutes more to speak

States, who gave up so much in the compromise that resulted in the adoption of the Constitution.

In concluding Mr. Choate said:

"Now I have a few minutes more to speak upon the other question left open by the court, namely—let me state it exactly as it is—whether the inroads made upon the law by the decision already made, and that which we hope will be made, constitute an invalidation of the whole act. I think, if the court please, that there is no doubt about what the question intended to be submitted there is. Does it follow because the act has been left in its present mangled and mutilated condition it should be buried? I submit that it does necessarily follow that that argument must be answered in the affirmative. This mangled and mutilated corpse has too long remained unburied. In its present condition it shocks the sensibilities of the entire people of the United States.

"Now, what is the rule? The rule has been stated in many, many ways—in many, many cases; but I prefer, as I always do prefer when I can get the aid of such a jurist as Chief Justice Shaw, to bring him to my rescue. But it has never been stated in any better or clearer way than by that great jurist in the case of Warren vs. Charleston, 2 Gray, 84. It was there stated by him that, although parts of an act are unconstitutional, other parts of the same act may not be obnoxious to the same objection, and, therefore, have the full force of law, in the same manner as if these several enactments had been made by different statutes. But this must be taken with this limitation, that the parts so held respectively, constitutional and unconstitutional, must be wholly independent of each other. It is with an dependent on each other, as considerations or compensations for each other, as to warrant a belief that the Legislature intended them as a whole, and that, if all could not be carried into remaining the model of the constitutional, and there is a whole, are thus dependent, conditional, or connected, must fall with them.

"It is also elsewhere s dependent, conditional, or with them,
"It is also elsewhere stated by this court that
"It is also elsewhere that it was the inten-

dependent, conditional, or connected, must fall with them.

"It is also elsewhere stated by this court that unless the court can see that it was the intention of Congress to pass the law as it is left, shorn of the part found to be unconstitutional, the whole must fall. What has happened here? What is the subject of exemption, not intended by Congress, not a part of their general scheme and plan, which, by the decision of your Honors already made, has fallen out? What is the body of that property? I understand that the census reports show that it exceeds \$40,000, 600,000. The income of that sum, whether at 4 jer cent, or 5 per cent, or 6 per cent, is an enormous sum, and the 2 per cent, upon that is to be counted by many millions. What was the declaration made here on the former argument? What was the declaration made in Congress at the time of the passage of this law? What was the estimate made by the Treasury Department as to what the law would yield, levied upon all these incomes? From \$30,000,000 to \$50,000,000. The returns have come in, revised under your Honors ruling, emitting rents. What do they amount to? That is locked up in the bosom of my learned friend, the Attorneytieneral. Your Honors can extract it: I cannot, I venture to say that half of it is gone; that not one-half of what Congress intended will be yielded by it, because of what your Honors come to gratify our prayer by striking out also the income from personal property, how much will there be left of it? What will there be left of it? This was a general scheme of income tax, to bear upon the whole people who could not procure their exemption in due season at the hinds of the committees of tongress. What was the object of it? I was to strike at the accumulated wealth of the old seaboard States. If your Honors please, in the debates of Congress the name of one man, conspicuous above all the rest, was said to be the objec

stances, would have agreed upon the passage of the law if it had been seen that the principal object of the law was to escape it by the unconstitutionality of its chief provisions?

"Again, who are left? Landholders have escaped; bondholders have escaped; bondholders have escaped. We believe your Honors will be constrained to hold that the receivers of incomes from personal property will escape. Who are left to be taxed? We are left the bone and sinewand brains and nerve scattered throughout this great community of 70,000,000 people. What was intended to be a tax upon capital turns out to be a tax upon labor. How long do you suppose a Congress in which the balance of power was held, to give it the most dignified name, by what is called the People's party would have consented to levy a tax upon the people, only omitting all recourse to the accumulated wealth of the country and its income?

"We cannot enter into the bosoms and breasts of Congressmen for their views, but when those views are announced by the authorized representatives of the Federal Government from its executive department, we can take them into consideration. They filled their briefs here claiming validity for the law upon the ground that it is an income tax leveled upon a small body of picked men, a selected class of very wealthy people. Now, those, the heaviest, the richest, the biggest lish which were intended to be caught in the net, have got out through the rent that your honors have made in the meshes.

"There is another matter the object of the tax. They say the object of the tax is not this alone; that Congress would not have thought of making this tax by itself. What is it? They say there is an inequality, and this is one of their great arguments; your Honor's heard it in stentorian voices here on former argument. It is to qualify, reduce, limit, cure inequalities produced by the indirect taxes, because those fall on the poor and middle classes. The Government's representatives divide us into classes, and they say they want toqualify tha

ordinary expenses of the Government, the United States would rely upon indirect taxes, as they generally have done until this new departure was made?

"Did they think that here was an experiment for avoiding that condition in the future, first gradually and then more rapidly, and finally making direct taxes for all the ordinary occasions of the Government a substitute entirely for indirect taxes? Then did they medinate increasing, by a future law, the exemption from the \$4,000 to the \$10,000 or to \$40,000, and increasing the tax from two per cent. to ten per cent, or to twenty per cent, and so establish a new theory of constitutional government for us, namely, that in the future, as rapidly as we can attain that position, we may run this Government, not on the product of the imposts, as was originally understood, but, dispensing with those and gaining whatever political, economical advantage thereby can be gained, thrust it all upon the property of the land?

"Whatever way you look at it, whether at the mangled condition of the law, the failure of its purpose, its incidence just where the people who passed it, the Legislature did not intend it should fall, or the purpose, actual or declared and awowed, or possible and only to be guessed at, that they had in view. I say that whatever way you look at it, within Justice Shaw's delinition or any definition ever laid down which can be called authoritative, this act as it now stands, mangled by the pruning knife of the Constitution in the hands of this court, your Honors cannot see that the Legislature ever would have passed in this form. On the contary you can see, and unless you shut your eyes to absolute blindness you must see, that the Legislature never would have passed in this form. On the contary you can see, and unless you shut your eyes to absolute blindness you must see, that the Legislature never would have so enacted it."

Mr. Choate finished at two minutes to 3 o'clock, and the Chief Justice directed the crier to adjourn court until Monday, May 20.

Blacksnakes on an Orange Lawn. ORANGE, May 8 .- Mrs. Hubert L. Pierson ran eross two large blacksnakes yesterday while strolling in the grounds of her home in Ridge-wood road, South Orange. She screamed, and a neighbor. Samuel H. Gardner, came to her sid and killed the snakes. One was 5 feet ten inches in length and the other 4 feet 3 inches.

Geo. C. Fitnt Co. of 45 West 28d St. Have marked down every article of furnity:a---din GREATER NEW YORK BILL

TABLED IN THE SENATE AND RE-COMMITTED IN THE HOUSE.

erendum Clause-The Police Reorganiantion Bill Still Bung Up in the Senate-The Conference Report on the Raines Binnket Bill Adopted The Bill Maktag It a Misdemensor to Purchase a Vote at a Capeus or Primary Passed,

ALBANY, May 8 .- "N. B. No Police Reorganization bill yet," is the sign for the Senate law-making shop to-day again. The "N. B." is un-derstood up here to mean "No Bradley," for it s on that Senator's vote that the Saxtons and the Lexows and the others who have been claiming everybody and speaking for everybody are now forced to rely. Good judges on the spot are of the opinion that the "N. B." stay on the sign until it is turned to the wall with the end of the session.

Senator Owens is taking some comfort in the lyn an opportunity to tell what kind of a charter would be accepted, he would oppose the bill. If, however, it was amended fairly, he would favor it.

The whole Kings county delegation opposed the bill in its present chape, Mr. Wray said.

If that was the case, said Mr. Bell, it would be but fair to recommit the bill. New York wanted to be joined to Brooklyn, but wanted the uniting to come with all the love and affection possible.

Mr. Halpin thought a time for the committee to report should be set by the House.

Mr. Halpin thought a time for the committee to report should be set by the House.

Mr. Hennessey said if Mr. Halbin would accept the proposed referendum clause in the bill he would agree to have the report come in on Friday. If he would not, the Kings county delegation would fight the bill.

On motion of Mr. Alineworth the bill was recommitted to the Cities Committee, with instructions to report on Friday morning. The bill, Mr. Alineworth said, was too important to be amothered in committee.

The following bills were reported favorably; Mr. Abell's, providing for the organization of Brooklyn Hoards of Registry; Mr. Friday's, to alter a plan of roads in Kings county: Senator Cantor's, providing for the improvement of the Croton Aqueduct so as to provide a bicycle path; Senator Wolf's, exempting from taxation the property of the Northeastern Dispensary in New York city; Senator Stapleton's, providing for the manner of selling lands for taxes in Syracuse; Mr. Haipin's, the Neison J. Waterbury claim against New York city; Senator Owen's, to widen Kent avenue in Brooklyn; Mr. Friday's, for a public park in the Thirty-first ward of Brooklyn; Senator Lexew's, the Poughkeepsie charter amendment.

Mr. Hoeiler's two bills amending the Utlea Common School law were returned from Utlea with the approval of the School Board and Common Council, but with the disapproval of the Mayor.

The Mayor of Long Island City sent to the House. fact that this situation lets him out a little bit on the pressure that he has been under. He is still inclined to think that he is entitled to the privilege of lying a little to those who have lied to him so much. This means that he may yet decide to call his promise to vote for the bill a little white lie and let it go at that.

O'Connor & Co. affect to consider that Mayor Strong's acceptance of the Bi-partisan bill has cleared the Republican sky of the clouds of fac-tional storm, and that there will be no trouble in passing the Reorganization bill when the time comes. This is particularly funny, when it is remembered that the acceptance of the bill was accompanied by the removal of Commissioners Murray and Kerwin, whose scalps were the trophies that the whole fight was about. It s sad to say that Mr. O'Connor's affectation of satisfaction over the Mayor's attitude evokes no echo except from the reverberatory Lexow.

The Judiciary Committee reported favorably a number of bills, including Senator Cantor's creating a Board of Commissioners of Land Record of New York State; also the bill providing for the licensing of architecta.

Mr. Wieman's bill, providing for the election of Aldermen in Brooklyn by Senate districts, returned with Mayor Schieren's disapproval, was passed over his veto.

Assemblyman Pavey's bill, relative to advertising required to be done by New York city,

When the Lexow Greater New York bill was reached Senator Bradley asked to have it laid aside one day. Senator Lexow said not unless good reasons were given. He did not propos to rest under the suspicion that he was willing to delay the bid. All sorts of rumors of deals are now affoat about its delay and he certainly

did not care to have them continue. Senator Cantor-Talking of deals, why don't you call up the Reorganization bill? Are you trying to make a deal on the two bills? Senator Lexow-In reply to this, I ask that this bill be considered now, I do not propose to

this bill be considered now. I do not propose to rest under any such imputation as this. I would rather see the bill killed than have it made the subject of political bargain or rest under any suspicion of such a course having been taken. The bill involves 3,000,000 people, and is far too important to be thus bandied about.

Senator Lexow then demanded a call of the Senate, which was ordered at 12:30 o'clock. It took nearly an hour to find the absentees. At 1:15 the call was suspended, after Senator Reynolds had arrived. The vote on the motion to table the bill resulted, aves, 17; noes, 14, and the bill was tabled. The vote in detail was as follows:

Year Senators Abearo. Brailey, Cantor, Coffey,

YEAS Senators Abearn, Bradley, Cantor, Coffey, Coggeshall, Collins, Guy, McMahon, O'Donnell, O'Sulli-vali, Owens, Parker, Reynolds, Rice, Sullivan, Wolf, and Wolfert-17. and Wolfert-17.
Navs-Senators Childs, Donaldson, Higgins, Kilburn,
Lexow, Mullin, O'Connor, Parsons, Persons, Pound,
Raines, Robinson, Smelzer, and Stapleton-14. The negative vote was solidly Republican, but Senators Coggeshall, Owens, Reynolds, and Wol-lert, Republicans, and Senator Bradley, Inde-pendent, of Brooklyn, voted with the Democrats to table the bill.

Senator Kilburn moved to discharge the Judiciary Committee from the bill placing mercantile establishments under the supervision of the Factory Inspector. He spoke at length in its favor and urged its passage, saying it was in the interests of the working women. The motion was carried, the committee was discharged, and the bill referred to the Committee of the Whole.

Whole.
Senator Owens introduced a bill changing the name of Kings county to Brooklyn.
The following bills were passed:

Senator O'Connors, providing for the appointment of a committee on the person and property of a ha-bitual drunkard, blot, &c.

Assemblyman Brown's, providing for the safety of workness in miles. bitual drunkard, bliot, &c.

Assembly man blown's, providing for the safety of workmen in mines. F. Schulz's, relative to business hours in county Clerks' offices.

Assembly man Housinger's, extending the power of Supervises over accounts and extending the power of Supervises over accounts and extenditures of super-intendents of the power of Assembly man Louisberg's, providing for additional lands and buildings for the East New York Reformatory in Assembly man Houningdale's, regulating ice cutting in section of the Columbia of the Columbia of the Columbia of the Safety of the Columbia of New York into the St. Bartfoloin W Association of New York into the St. Bartfoloin W Association of New York into the St. Bartfoloin W Association of New York into the St. Bartfoloin W Association of New York into the St. Bartfoloin W Association of New York city can continue.

Senator Sullivan's, incorporating the Columbian Trust Corpany of New York. road.

Assemblyman O'Grady's, for the protection of the sources of Rochester's water supply. [This bill was also passed in the Assembly.]

Mr. Madden's, regulating the price of gas furnished by the hast liver tas light tongaany of Long island City. It provides that the company shall have uniform rate for all leadilities.

Mr. Abeil's, making Lincoln's birthday a public hollday.

Mr. Abeil's, making method of Mary T. Bates,
Mr. Foley's, for the relief of Mary T. Bates,
Mr. Belniand's, ratifying alterations of the map of
New York city streets,
Mr. Friday's, transferring the Atlantic Dock police
to the brooklyn Police Department.
Mr. Clark's, providing a panishment for arson first degree.
Mr. Percy's two bills, to conform the civil procedure
to the new Constitution.
Mr. Hoomingdale's, providing stenographers for
Grand Juries. Grand Juries.

Senator Ahearn's, authorizing the Franklin Loan and Trust Company to reduce its capital stock and remove its place of business.

Among the bills advanced to a third reading was Senator Kilburn's, incorporating the Maritime Canal of North America, to connect the great lakes and the Hudson River by canal via Lake Champiain; and Mr. Wieman's, authorizing the New York and Brooklyn Tunnel Company to build a tunnel between the cities.

izing the New York and Brookly Tunnel Company to build a tunnel between the cities.

IN THE ASSEMBLY.

The scene in the Assembly chamber this morning was an evidence of the approaching end of the session, though the involved and entangied Republican majority cannot yet see its way clear to the introduction of a resolution fixing the date of the dissolution of the most maledorous Legislature since Tweed used to own and control the Republican majorities. The hour of meeting in the Assembly is 10 A. M., but the Senate does not sit until 11. All winter the Senators have drifted up the hill toward noon in their lordly way and attended to business with an aristocratic and exclusive air of self-indulgence. They were scarcely aware, to all appearances, of the existence of a coordinate branch of the Legislature, though they sometimes recognized the Assembly sufficiently to abuse it or treat it with contempt and disdain. It is different in these days, and that is

## A Good Appetite

Is given by Hood's Sarsaparilla, which tones and strengthens the digestive organs and purifies the blood.



About a year and a half ago I was taken with terrible pains in the pit of my stomach. for which I had doctors a year. My complaint not improving, I bought saparilla. I had been taking it only for a few days when my wife resee a difference in my looks. I took over three bottles, and I was

soon able to cat anything, and my stomach is all right again. Now when not feeling perfectly well. I resort to Hood's Sarsaparilla, I recom-mend it to my friends." J. W. WALDRON, Riverside Station, New York.

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True Blood Purifier And Spring Medicine. Now is the time to take it, because now is the time when it will do you

Hood's Pills the after-dinner pill and family cathartic. 250.

Notion Sale, Thursday, May 9th.

A large quantity of Spool Silk, (100 yd. length, first quality in black & colors) 65c. dozen.

Spool Twist,

Silk Dress Shields,

85c. per piece, French Hair Cloth,

(white, grey and black), 65c. to 85c.

Lord & Taylor,
Broadway & 20th St.

he had not talked with Payn previous to going he had not talked with Payn previous to going to Albany.

Mr. Burns said he had made a mistake, which reflection now enabled him to correct.

Mr. Root insisted on knowing if the former testimony was true.

Mr. Burns said it was true. He had talked with Payn at other times than at the New York meeting. He could not remember all the conversations with Payn. He could only be positive about the conversation in New York, as the others were of no importance.

Senator O'Connor then asked: "Is the evidence closed?"

Mr. Raines said he wished to call Payn and one other, the latter to prove a record.

The bill was passed by 100 affirmative votes after the former vote upon it had been reconsidered.

Mr. Gardenier, as Chairman of the conference committee on the Raines Blanket Ballot bill, presented the report. In explaining what the report contained, Mr. Gardenier said that, outside of correcting txpographical errors in the Raines bill, the bill as reported was about the same as when it was sent to the committee, with one exception. This exception was as to the persons who should accompany the illiterate voter into the booth. Primarily the bill provided that the illiterate voter should select two inspectors to assist him; then the bill was amended so that it allowed the illiterate voter to take into the booth two people to be approved of by the inspectors. In conference committee it was decided to allow the illiterate voter to choose two of opposits political faith from the election officers, which included inspectors, ballot and poli cierks. The bill had been amended to meet the views of the majority. Mr. Gardenier moved for the adoption of the report.

Col. William Carey Sanger diepublican, of Oneida county), who was a member of the conference committee, opposed the motion on the ground that to permit the able-bodied illiterate voter to have personal assistance in preparing his ballot raises a serious constitutional question. "The Constitution," he said, "provides that secrecy in voting must be preserved; and even if we admit that this provision must give way in cases where, by reason of physical disability or infirmity, a voter cannot prepare his ballot without assistance, we cannot escape its binding force in cases where the voter is entirely free from physical disability."

The report was adopted by a vote of 91 to 15.

ononing force in cases where the voter is entirely by free from physical disability."

The report was adopted by a vote of 91 to 15.
The negative voters were: Messrs. Chapman, Corrigan, Couchin, Gallagher, Gerst, La Fetra, Niles, Percy, Sanger, Schoepflin, Ten Eyck, Terry, Whittet, Wilds, and Hennessy.

Mr. F. F. Schulz called up his bill, lost on May 2, to appropriate \$25,000 for a canal between Flushing and Newtown creeks. The bill was

earth but the lobbyist Payn. In closing, he said:

"I would not do any injustice to any Senator or any man whatever. But when a woman is found consorting with prostitutes and panderers of vice the regutation of her chastity must take the inevitable consequences. If Senators of the great State of New York receive their orders from a man like Payn, known to all men to be the agent and instrument of corruption, and associate themselves with him, they have no right tocomplain that inferences recarding their honesty and official honor are drawn by citizens whose interests they are bound to represent."

The committee at ten minutes before midnight adjourned until 7:30 to-morrow night, when Mr. Payn is expected.

Raines and Coggeshall Put in Denials, but Payn Had Left Town when He Was Called, ALBANY, May 8.-The Senate Chamber was well crowded to-night when the special Senate committee appointed to investigate bribery charges in connection with the passage of the New York city firemen's salary bill met to continue its inquiry.

Senator Raines was sworn, and in reply to

Flushing and Newtown creeks. The bill was attacked by Messrs. Fairbrother, Vacheron, and Malby, and defended by Messrs. Schalz, Wray, and Campbell. Mr. Vacheron accused Mr. Wray and Mr. Campbell of using "city gag rule" on the bill because both had moved the previous question. The motion to reconsider was lost by a vote of 43 to 28, it falling to receive the constitutional majority.

These bills were passed:
Senator Smeleris, for the appointment of a tuber.

Schator Smelver's, for the appointment of a tuberdecis commission. Senator Childs's, for the improvement of certain rects in Long Island City. Senator Robertson's, the Mount Vernon Charter bill. Mr. Maon's, defining the powers of the Hamapo.

Water Company.

Senator Kilburn's, for the appointment of a deputy
mine inspector by the Factory Inspector.

Senator Cantor's, exempting from taxation property of the House of the Good Shepherd of New York

olfy.
Mr. Cutler's, authorizing guarantee companies to invest in bonds which they guarantee.

SENATE BRIBERY INOUIRY.

questions by Attorney Raines, he said he was never aware of any fund raised to help along the Pavey bill; that he had never heard of such a fund, and had never talked with any one on the subject during the pendency of the bill. He was then turned over to Mr. Root, who, after a long conference with his associates, said he had no questions to ask. Senator Coggeshall was next called by Mr.

Raines. He was asked similar questions to those put to Senator Raines, and returned similar answers. Mr. Root also declined to question

Mr. Raines presented Dr. Purdy's certificate that Mrs. McCabe was unable to appear. He said two witnesses were to be examined who ould not be called without documentary evidence, now on its way in the mails, and expected temorrow. He could not call Mr. l'ayn sat-isfactorily without it.

Senator O'Connor asked Mr. Root if he had any other witnesses. Mr. Root said he had to leave town to-night, and had expected the com-mittee to close its work now, as it had agreed, senator O'Connor said Mr. Payn ought to be called now.

Senator O'Connor said Mr. Payn ought to be called now.

Mr. Raines objected to doing so until the documents mentioned arrived. Since people had gone back twenty-live years to get a record for him, he should have a chance to meet it with the papers in question. Mr. Raines declined to tell the nature of the documents, but said Mr. Payn was extremely anxious to testify.

Mr. Root—If Mr. Payn wants to be cross-examined by me he will go on the stand to-night. If he doesn't, he won't.

Mr. Raines—He has told me it is the desire of his life.

Scaator O'Connor—The committee thinks Mr.

Mr. Rames-He has told me it is the desire of his life.
Senator O'Connor—The committee thinks Mr. Pays should go on the stand to-night. He can state the contents of the documents as if they were here. The moral effect of his testimony will be materially weakened unless he is cross-examined. It will surely be said now that his did not want to undergo the ordeal.

Mr. Raines—That would be grossly unjust, as Mr. Payn could not know that Mr. Root could not be here to-morrow.

Senator O'Connor sent the Sergeant-at-Arms to find Mr. Payn. In a few minutes Senator O'Connor said he was informed that Mr. Payn left for Chatham, Columbia county, at 90 clock this evening, and consequently could not be had to-night.

what made the indications of adjournment so apparent under the papier maché ceiling this morning. Quite a number of the sometime contemptuous and disdainful Senators were on hand at sharp 10 o'clock, and they were very busy cultivating common Assemblymen until it was time to get together in the oneyx chamber. The most interesting example of this condescension was furnished by Senator O'Connor, to whom the Assembly administered a much-needed lesson yesterday. The bumptious leader on the other side was the personification of meckness and humility, and it was plain that his peaceful was to try and get out of pickle one of his bills that the House had referred to the Committee on Salt in revenge for one of his undiplomatic revelations of his real feeling toward the lower body.

The first thing of importance to come up in the Assembly was the Haipin Greater New York bill, which was reported by the Committee on Cities.

Mr. Hennessey moved to recommit the meas-

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Finest quality Silk Serge Belting,

mon Council, but with the disapproval of the Mayor. Hoth bills were repassed over the veto of the Mayor. The Mayor of Long Island City sent to the House with his disapproval the bill to omit taxes on property in Long Island City which is owned by Union College of Schenectady. This bill was, on motion of Mr. Ainsworth, passed over the Mayor's veto.

The special order of the day, the Pound bill, making it a misdemeanor to purchase the vote of a voter at a caucus or primary, was called at 12 o'clock. The bill was lost on April 39, but a motion to reconsider the vote was laid on the table. table.

Mr. Tuttle opened the discussion by advocating the passage of the bill. He said it would tend to clear the political atmosphere more than any measure that could be thought of. The people of the State wanted it, and every member who had the good of his country at heart should vote for it. had the good of his country at heart should you for it.

The bill was also advocated by Speaker Fish and Mr. Nixon.

Mr. Stanchfield thought that the situation would be a queer one when some of the members tried to get renominated. No doubt most of them would be guilty of a misdemeanor under the terms of the bill.

Mr. O'triady hoped the bill would pass. It was as good a Democratic measure as it was a Republican one. It should pass unanimously.

The bill was passed by 10d affirmative votes after the former you upon it had been reconsidered.

Mr. Gardenier, as Chairman of the confer-

others were of no importance.

Senator O'Connor then asked: "Is the evidence closed?"

Mr. Kaines said he wished to call Payn and one other, the latter to prove a record.

Senator O'Connor said that the committee, out of courtesy to Payn, would sit to-morrow night to hear what he wanted to say.

Mr. Root called attention to the fact that Payn was present in the Senate chamber to-night during the session of the committee and haid wilfully gone away.

"And to that extent is open to criticism," said Senator O'Connor. He then asked the counsel to present their views of the case to the committee in writing so they could consider them in making their report.

Mr. Root asked permission to sum up now, as he could not be present again, and this was granted. At 10:20 P. M, he began. He reviewed the history of both firemen's salary bills, and said that the amendment had been shown to have been under control of one of the most notorious lobbyists known. He had been present at every session of the committee unit to-night, when he deliberately left the city, leaving word that he would testify at a future time, when in the course of events he could not be cross-examined. That he is a most notorious lobbyist is shown by the report of a committee that investigated his relations to legislation in 1808, when the report said that \$10,000 had been paid him to further the interests of an Eric kaliroad bill.

Mr. Root them started to read the report of that committee as included in the record of a former committee session. Mr. Raines interrupted, saying that Mr. Payn was to submit documentary evidence, not less than a signed statement of the members of the committee that make that investigation, retracting criticisms in the report made on Mr. Payn. This would be haraced by affidayls. He did not change the record under which Payn had stood convicted for twenty-five years, he did not care how many retractions were made, they could not change the record under which Payn had stood convicted for twenty-five years. Now, after this record o

ROBERT RAY HAMILTON'S ESTATE. The "Stranger" Provided for and Eva

Mann's Claims Finally Settled. The report of George P. Webster, who was appointed appraiser of the estate of the late Robert Ray Hamilton, for the purpose of fixing the value of the estate, with a view to having the tax fixed in accordance with the law, has been made to the Surrogate. He finds the gross value of the estate to be \$419,087,48, and the net residuary estate to be about \$272,417. Under the will of Mr. Hamilton he provided for the payment of an annuity of \$1,200 to the child Beatrice Ray, which had been foisted upon him by Eva L. Mann or Hamilton. The child is put down as a "stranger" in the documents, and the cash value of her annuity is placed at \$10,893. Mr. Hamilton died on Aug. 23, 1890, but the reason his estate has not been settled up before is on account of the claims made by Evangeline L. Mann, who claimed to be his widow, and the litigations which she instituted to recover dower in his property. These have all been settled and disposed of and the estate will be settled in the near future. of the estate to be \$419,687,46, and the net re-

An Artery Cut by a Falling Window. During a meeting of the Young People's So

the Lenox Street Baptist Church in Flatbush on Tuesday night one of the stained glass windows fell in. Stanley Wells of 124 Hawthorne street was sitting near the window and instinctively raised hi. hands over his head, He was struck on the wrist by an edge of the falling glass and one of the arteries of his arm was cut. He fainted from loss of blood and was taken home in a carriage.

SLEEP AND REST For Skin Tortured

BABIES
And Tired
MOTHERS In One Application of

to-night.

Mr. Raines then recalled Mr. Burns of the Fire Department, and asked as to the date of the interview with Mr. Payn.

The witness said it was on Feb. 23, in the Grand Union Hotel, instead of at Albany.

Mr. Roines and burning skin and scalp diseases.

Seld throughout the world, and especially by Fagith and scale of the former testimony of Burns and asked why he had said

No. Roines Cont. State Edwardst. London. Forms

M'LAUGHLIN TRIAL BEGUN. BR. FOX OPENS THE CASE FOR THE Perhaps

PROSECUTION. Promises to Prove that Wardman Burns's Hand Was the Hand of McLaughla, and that Burne's Threats Were the

Threats of the Defendant-A Hitch Over Juror Stein Deinyed the Opening. After the arduous three weeks' struggle during which panels averaging nearly 100 tales-men a day were exhausted in an effort to secure

a jury, the trial of Police Inspector William W. McLaughlin was at last begun late yesterday afternoon in the Court of Oyer and Terminer before Justice Barrett.

The jury tox having been filled on Tuesday the trial was expected to go on yesterday morn-ing, and a crowd eager to be in attendance began

ing, and a crowd eager to be in attenuance oegan early to clamor for admission. Court was not opened until 11:15, the delay it was understood being at the listance of Austen G. Fox, who, with ex-Surrogate Daniel G. Rollins, is, at the behest of the Committee of Seventy, assisting Col. Fellows in the prosecution, When Justice Barrett took his seat he threw

the entire assemblage into custerdation by an-nouncing that there would be an adjournment until 4 o'clock to enable the Court to investigate reports concerning the qualifications of one of The two new jurors who were not in the box

on Tuesday morning were Charles A. Stein, a real estate agent of 132 Nassau street, and Emanuel J. Pelikan, a jeweller of 42 John street. It was rumored almost immediately that the juror in question was Mr. Stein. He is a consin of Henry B. Sire, who is said to be a friend of Inspector McLaughlin. The surmise proved to be correct.

When the court convened at 4 o'clock Wil-

liam O. Inglis, a reporter, was called to the stand. He swore that he had seen Sire enter the court room within a week and talk to Mc-Laughlin for half a minute or a minute. Stein had sworn that no relative of his was acquainted with a member of the police force. John Maloney, custodian of records in the Register's office, identified the records of prop-

erty at 750 Lexington avenue, which showed its passage through the hands of several persons. although Stein had sworn that he owned it and had received it directly from his brother. Mr. Stein was called to the stand to explain

himself. He said he had not seen Sire in court, nimself. He said he had not seen Sire in court, and did not know that Sire was acquainted with McLaughlin. As for the property, two lots had been deeded to his brother, from whom he had received one. His explanation was satisfactory to Justice Barrett, who ordered the case to pro-

received one. His explanation was satisfactory to Justice Barrett, who ordered the case to proceed.

Col. James asked that the prosecution be required to elect between the charges of bribery, which constituted the first four counts of the indictment, and that of extortion, the fifth count, saying that if the offense of Nov. 21, 1891, the subject of the indictment, was the one it could not be the other. The Justice ordered that evidence be taken in the usual way, and said he would decide the question afterward. Col. James took manifold exceptions, as he has done at every stage of the proceedings. It was 5:20 o'clock when Mr. Fox arose to make the opening speech. There was a lull in the waving of the big paim-leaf fans that had been distributed about the table of the defendant's counsel, where Col. James, his assistant A. I. Elkus, and the associate counsel, Emanuel Friend and Fred House, sat with the Inspector and some friends.

Mr. Fox said in part: "It is now apparent to you all, as it has been to us and the public, that the struggle in this case is not one now about to begin, but one which began on April 15, when the first man took his seat in the jury box, and the Judge asserted his right to inquire into the character of jurors. No doubt it must have seemed irksome to you, as it has to us, to sit here so long in order to see that no one slipped by our watchful eyes and kept a position in this tox who did not posses in a high degree the qualities of probity and honor. There is a great public interest surrounding this trial dealing with corruption in the police force.

"We of the prosecution," he said, "have been met from the outset by opposition and the lack of that cooperation that its ordinarily at the behest of the Central Of-fex and said that the litterier. Attorney in the least of the central Of-fex and said that the litterier.

of that cooperation that is ordinarily at the behest of the District Attorney in the least of cases.

He referred to the attitude of the Central Office, and said that the District Attorney would have been guilty of worse than folly had he trusted to the Bureau of Detectives of which up to a few days before the trial the defendant was the head. He called the jurors' attention to the sworn statement that Central Office detectives had frequently been in court, and asked if the jurors thought these men would give aid in convicting one of their superiors.

We shall show you that as this defendant is on trial, so is the administration of justice. We will show you that not many years ago be joined the force and rose until in July, 1887, he was assigned to the command of the First precinct. From that moment he was within the law an autocrat. Was he not outside the law an autocrat. When the outside the law an autocrat. Was he not outside the law an autocrat. I see the question for you. He requested the appointment of city ordinances. He was transferred, and he took Burns with him. Where one went the other followed.

"In order to tear down buildings it is necessary to get a permit. The prosecution will introduce evidence which we will argue will show that there was an organized steal, conspiracy, partnership, it matters not what you call it, between Burns and the defendant to extort money from persons engaged in tearing down old buildings in that precinct. Think of the power he exercised and of the power he had behind him.

"We will show you that when threats were made by Burns they were threats of the defendant."

from persons engaged in tearing down old buildings in that precinct. Think of the power he exercised and of the power he had behind him. "We will show you that when threats were made by Burns they were threats of the defendant. The hand of Hurns was the hand of the defendant, and what Burns said and did to the builders was the utterance of the defendant. And what found its way to the hand of Burns found its way out of his hand and into the pockets of the defendant. If that is so, there is no ground for hesitation.

"We shall bring here citizens who will tell you what happened to them, citizens engaged in a lawful business, but permit or no permit, could not carry on their lawful undertakings without naying something to this defendant. It is impossible sometimes not to violate a city ordinance, and contractors under the heavy penalty of \$150 a day for not completing work on time would rather pay \$100 than have their work stopped. That's the kind of business that went on in this precinct."

Mr. Fox said the prosecution would show a payment made on Nov. 3, 1891, and others, and that without making those payments Mr. F. W. Seagrist could never have taken down one of the buildings which he contracted to take down. He concluded his speech at 6:40 o'clock.

The court was then adjourned until 10:30 o'clock this morning.

District Attorney Fellows and special counsel Rollins and Fox were much perturbed last night, after Mr. Fox lad concluded his opening address, when they were informed that Henry B. Stein, a brother of Charles A. Stein, the fifth juror, had been arrested and fined \$250 in the Special Sessions on April 11 for stealing gas from the Standard Gas Company. Charles A. Stein gave as his address 559 Lexington avenue, which is on the corner of Siztieth street.

The building was supplied with gas pipes from both the Consolidated and Standard Gas comboth the Consolidated and Standard Gas co

given by H. B. Stein was loo has been street.

The building was supplied with gas pipes from both the Consolidated and Standard Gas companies, but it was only metered by the former company. The bills were too small for the amount of lights run, and a detective discovered that the pipes of the Standard Company had been tapped back of the meter. Charles A. Stein lives in the same house, and the prosecution will investigate the case fully. STEERAGE RATES GO UP.

An Unprecedented Rush of Recent Immlgrants to Their Old Homes,

The White Star and the Cunard lines have raised their rates for eastbound steerage passengers from \$10 to \$15. This is due, it is said, to the unprecedented exodus of recent immigrants. Whether or not the increase in the price of steerage tickets will decrease the price of steerage tickets will decrease the throngs going to their old homes may not be known until the new rates have been in force for a few weeks. It is likely that the Continental ines, represented chiefly by the Hamburg-American and North German Lloyd companies, will meet the increase in a few days, and there may be a truce in the rate war between the Erallish and Continental lines.

The steerage of the Teutonic which sailed yesterday was crowded. Among the returning minigrants were 400 Irish girls who have been employed as servants in families mostly in and around New York. They took advantage of the cheap rates and the temporary loss of employment caused by the departure of their mistresses for Europe or the country to visit their old homes in Ireland for a few months.

CONFICTS TRY TO ENCAPE.

Two Prisoners at Snake Hill Rus, but Are Stopped by Shots from a Rife. William Howe and John Cunningham, convicts at the Snake Hill Penitentiary, attempted

victs at the Snake Hill Penitentiary, attempted to escape on Tuesday evening. They were working in the quarry. When the keeper's back was turned they dropped their tools and started to run back of the hill.

Keeper Donovan saw them and started in pursuit. They had gained a good lead and were outrunning the keeper when he stopped and fired two shots from his Winchester rifle. The fugitives halted and came back. They were taken to the penitentiary and put in the dungeon.

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PAUL GENZ TO BE HANGED. The Jury Brings in a Verdict of Murder in the First Degree.

Paul Genz, who killed his mistress, Clara Arnim, in Hoboken, on Aug. 28, 1894, was con-victed yesterday of murder in the first degree. The jury remained out all night, and did not agree upon a verdict until 5 o'clock yesterday morning. Twelve ballots were taken. On the first three there were eight votes for murder in the first degree and four for acquittal. On the next ballot nine voted for first degree and three for second degree. Then the vote got around to

for second degree. Then the vote got around to eight for first and four for second on two balledings. The vote stood nine to three on the next three ballots. The twelfth ballot was taken at 5 o'clock, and was unanimous for murder in the first degree.

The jury was brought into court at 9:15 o'clock. When the verdict was announced Gens said: "Thank you. That is what I wanted."

He then whispered to his coursel, and Mr. Collins informed the Court that the defendant desired to be sentenced at once. Justice Lippincott announced that sentence would be pronounced on May 20.

Genz was taken back to the jail by Constables Wells and Henry. "Well, I got my dose," he said on the way. A close watch will be kept upon him to prevent any attempt at suicide.

Mr. Collins says he will consult with his associate connecl before deciding whether to take an appeal or not.

Found Drowned.

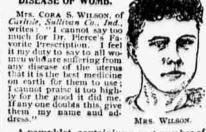
A man apparently about 26 years old was ound drowned yesterday afternoon in the East River at the foot of 100th street. The drowned man had dark hair and complexion, and was dressed in a black diagonal coat and vest, dark strined trousers, and congress gaiters.

The body of a woman about 40 years old was found yesterday afternoon at Pier 13. Essi River. It was dressed in a light, striped skirt, woolen waist, white and brown stockings, and



who takes the surest way to gain a beautiful color and a wholesome skin will not take the cosmetics, paints and powders which soon injure the skin. Sallow or wrinkled face, dull eyes and hollow checks, together with low spirits, follow the derangements, irregularities and weaknesses peculiar to the sex. All women require a tonic and nervine at some period of their lives. Whether suffering from nervousness, dizziness, faintness, displacement of womanly organs, catarrhal inflammation of the lining membranes, bearing down sensations, or general tarrhal inflammation of the lining membranes, bearing down sensations, or general debility, Dr. Pierce's Favorite Prescription reaches the origin of the trouble and corrects it. It's a medicine which was discovered and used by an eminent physician for many years in all cases of "female complaint," and those painful disorders that afflict womankind. If women are overworked, run-down, tired or sleepless, if they are irritable, morbid and suffer from back-ache, they should turn to the right means for a permanent cure. Dr. Pierce's Favorite Prescription fits just such cases, for it regulates and strengthens the special functions, builds up and invigorates the catire female system.

tire female system. DISEASE OF WOMB. Mrs. CORA S. WILSON, of Carbole, Sullivan Co., Ind.,



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A pamphlet, containing a vast number of testimonials with reproduced photographs of those cured and giving full name and address of each, will be mailed to any address fee; or, Dr. Pierce's large Treatise (168 pages) profusely illustrated with wood engravings and colored plates mailed post paid on receipt of 10 ceuts in stamps. Address, World's Dispensary Medical Association, Buffalo, N. V.